

C1

1. (Twice Amended) A stable particulate suspension consisting essentially of,  
a nutrient selected from the group consisting of (a) an isoflavone, (b) lycopene,  
(c) lutein, (d) Coenzyme Q<sub>n</sub>, where n is integer of 1 to 12; and (e) a mixture of any of the  
foregoing nutrients;  
a nutrient stabilizer selected from the group consisting of (a') a lecithin, (b') a  
single hydrocolloid, (c') a surfactant, (d') a DOWICIL and (e') a mixture of any of the foregoing  
stabilizers; and  
an aqueous solvent system.

Please amend claim 3 as follows:

C2

3. (Twice Amended) A stable particulate suspension consisting essentially of,  
a nutrient selected from the group consisting of (a) an isoflavone, (b) lycopene,  
(c) lutein, (d) Coenzyme Q<sub>n</sub>, where n is integer of 1 to 12; and (e) a mixture of any of the  
foregoing nutrients;  
a nutrient stabilizer which is a lecithin selected from the group consisting of a  
lecithin derived from soybean and a lecithin derived from egg; and  
an aqueous solvent system.

Please amend claim 5 as follows:

C3

2.5. (Twice Amended) A stable particulate suspension consisting essentially of,  
a nutrient selected from the group consisting of (a) an isoflavone, (b) lycopene,  
(c) lutein, (d) Coenzyme Q<sub>n</sub>, where n is integer of 1 to 12; and (e) a mixture of any of the  
foregoing nutrients;

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C3  
a nutrient stabilizer consisting of a surfactant selected from the group consisting of cetylpyridinium chloride, polysorbate 80, sorbitan monostearate, a polyglycerol ester, a block copolymer of propylene oxide, ethylene oxide and a mixture of any of the foregoing surfactants; and

an aqueous solvent system.

Please amend claim 6 as follows:

3x  
C4  
(Twice Amended) A stable particulate suspension consisting essentially of, a nutrient selected from the group consisting of (a) an isoflavone, (b) lycopene, (c) lutein, (d) Coenzyme Q<sub>n</sub>, where n is integer of 1 to 12; and (e) a mixture of any of the foregoing nutrients; a nutrient stabilizer which is DOWCIL.

Please amend claim 14 as follows:

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14. (Twice Amended) A stable particulate suspension consisting essentially of, a nutrient selected from the group consisting of (a) an isoflavone, (b) lycopene, (c) lutein, (d) Coenzyme Q<sub>n</sub>, where n is integer of 1 to 12; and (e) a mixture of any of the foregoing nutrients; a nutrient stabilizer selected from the group consisting of (a) a single hydrocolloid selected from the group consisting of xanthan gum, a pectin, gelatin, guar gum, carrageenan, methylcelluloses, hydroxypropyl celluloses, gum arabic and a mixture of the foregoing hydrocolloids; (b) a surfactant selected from the group consisting of cetylpyridinium

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LS  
chloride, polysorbate 80, sorbitan monostearate, a polyglycerol ester and a mixture of any of the foregoing surfactants; (c) a DOWICIL and (d) a mixture of any of the foregoing stabilizers; and an aqueous solvent system.

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**REMARKS**

Claims 1, 3-6 and 14 are presently in the subject application.

Claims 1, 6 and 14 have been amended to more fully and adequately define Applicants' invention and to place these claims in better form for consideration on appeal. The amendments do not introduce new matter nor raise a new issue and, accordingly, entry of these amendments is respectfully requested.

Claims 1 and 14 are objected to because in line 5 thereof, the word "for" should be replaced by the word "from". Claims 1 and 14 have been so amended and, accordingly, these claims are no longer subject to objection.

Claims 3, 5 and 6 are objected to because they depend on a rejected claim. Claims 3, 5 and 6 have been amended whereby they are now independent claims not dependent upon a rejected claim. Accordingly, claims 3, 5 and 6 are no longer dependent from a rejected claim and allowance of these claims is respectfully requested.

Claims 1, 4 and 14 are rejected under 35 U.S.C. § 103(a) as being obvious over Peignier et al. U.S. Patent No. 4,938,983 ("PEIGNIER") in view of Gellenbeck U.S. Patent No. 5,827,539 ("GELLENBECK") and Mae et al. U.S. Patent No. 6,184,255 ("MAE"). It is respectfully submitted that claims 1, 4 and 14 are not obvious in view of these references when taken alone or in any combination.